

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

FINANCE OF AMERICA REVERSE)
LLC,)

Plaintiff,)

v.)

No. 2:23-CV-00042-LEW

MELISSA D. FESTA, Personal)
Representative of the ESTATE OF)
ANITA MAE DAVIS)

and)

SECRETARY OF HOUSING AND)
URBAN DEVELOPMENT,)

Defendants.)

ORDER

Federal jurisdiction in this case is based on diversity of citizenship, 28 U.S.C. § 1332(a). Pursuant to Federal Rule of Civil Procedure 7.1, parties or intervenors in actions in which subject-matter jurisdiction is based on diversity must file a Diversity Disclosure Statement unless the court orders otherwise. The Diversity Disclosure Statement “must name—and identify the citizenship of—every individual or entity whose citizenship is attributed to that party or intervenor.” Fed. R. Civ. P. 7.1(a)(2). This requirement does not relieve a party from its obligation under Federal Rule of Civil Procedure 8(a)(1) to plead the grounds for jurisdiction, but it is instead “designed to facilitate an early and

accurate determination of jurisdiction.” Fed. R. Civ. P. 7.1(a)(2) advisory committee’s note to 2022 amendment.

Plaintiff is a limited liability company. As such, its citizenship for purposes of diversity jurisdiction is determined by “the citizenship of all of its members.” *Pramco, LLC ex rel. CFSC Consortium, LLC v. San Juan Bay Marina, Inc.*, 435 F.3d 51, 54-55 (1st Cir. 2006). *See also cf. Emigrant Residential LLC v. Pinti*, 37 F.4th 717, 723 n.3 (1st Cir. 2022) (confirming citizenship of partnership’s membership through a show cause order). Presently, Plaintiff’s Diversity Disclosure Statement merely states that it is an LLC organized under the laws of the State of Delaware. Plaintiff’s Corporate Disclosure Statement states that it is wholly owned by Finance of America Funding, LLC, which is wholly owned by Finance of America Equity Capital LLC. That assertion of citizenship, while relevant, is not sufficient to establish citizenship for diversity purposes. *See D.B. Zwirn Special Opportunities Fund, L.P. v. Mehrotra*, 661 F.3d 124, 125 (1st Cir. 2011).

It is hereby **ORDERED** that Plaintiff shall, within fourteen days of the issuance of this order, file an amended Diversity Disclosure Statement that complies with Fed. R. Civ. P. 7.1(a)(2) by disclosing the citizenship of its members. Because the membership of Finance of America Reverse LLC includes other unincorporated entities, Finance of America Reverse, LLC will disclose the citizenship of each member in the same fashion.

SO ORDERED.

Dated this 9th day of March, 2023.

/s/ Lance E. Walker
UNITED STATES DISTRICT JUDGE